

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**EVERY DONELLE RICHARDSON
ADC # 139311**

PLAINTIFF

v.

No. 5:12-cv-96-DPM

**AMANDA PEVEY, Nurse, Varner
Unit, ADC; RAYMOND NAYLOR,
Disciplinary Hearing Administrator,
ADC; and MINNIE L. DRAYER,
Disciplinary Hearing Officer, ADC**

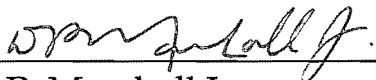
DEFENDANTS

ORDER

United States Magistrate Judge Deere recently entered proposed findings and recommendations in this case. *Document No. 5*. Judge Deere concluded that the Court should dismiss Richardson's claims with prejudice because, even assuming all the allegations in Richardson's complaint are true, he cannot prevail on his due-process claim. Richardson did not object to Judge Deere's recommended disposition. Having reviewed the proposal for clear errors of fact on the face of the record, FED. R. CIV. P. 72(b) (advisory committee notes to 1983 addition), and for legal error, the Court adopts Judge Deere's proposed findings and recommendations as its own. 28 U.S.C. § 636(b)(1)(B).

The Court therefore dismisses Richardson's complaint, *Document No. 2*, with prejudice. The dismissal counts as a strike under 28 U.S.C. § 1915(g). And the Court certifies that an *in forma pauperis* appeal would be frivolous and not taken in good faith.

So Ordered.



D.P. Marshall Jr.
United States District Judge

6 April 2012